IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 888 OF 2005

IN

STAMP NUMBER MAIN NO. 2819 OF 2005

THE NEW INDIA ASSURANCE CO. LTD., ...Applicant
VASCO DA GAMA, GOA.

Versus

SHRI JOAO F. C. FERNANDES, ...Respondent
CORTALIM, GOA.

Shri Emerico Afonso, Advocate for the Applicant.
Mr. Shambhu S. Kakodkar, For Respondent.

Coram:- V.C.DAGA, J.

Date:- 27th July, 2006

P.C.:

Heard learned counsel for the rival parties.

It is not in dispute that there was a compromise between the parties which is clear from Exh. R-2 produced along with Civil Application. Apart from this, the impugned order passed by the executing Court also goes to award interest at the rate of 12% per annum on the amount of interest alleged to have been awarded by the Tribunal. In that view of the matter considering the cause shown and the prima facie case on merits, I am of th considered view that the applicant has made out a case for condonation of delay. However, considering the extent of delay, delay is condoned subject to payment of costs of Rs.1500/- to the decree holder within two weeks from today.

Office is directed to register the appeal and place it for admission. In

the event of non-payment of costs, the appeal shall be deemed to have been rejected.

V.C.DAGA, J.

sl.